



MISSOURI DEPARTMENT OF NATURAL RESOURCES MISSOURI BROWNFIELDS COMPETITIVE ASSESSMENT PROGRAM

Missouri Brownfields Competitive Assessment Instructions

The Missouri Department of Natural Resources is using funds from a federal grant to administer a Brownfields Competitive Assessment Program. Within this program, three components will be used for conducting Phase I and Phase II Environmental Site Assessments (ESAs) at brownfield properties suspected of having environmental contamination. Two components will fund sub-grants to eligible entities. In the third component, the department is working with the U.S. Environmental Protection Agency (EPA) to develop a pilot project through which the department will arrange for the ESAs to be conducted on the brownfield properties. The components are described below.

Hazardous Substance Sub-Grants

The department anticipates awarding up to \$170,000 in sub-grants to eligible entities for Phase I and II ESAs on properties suspected to be contaminated with hazardous substances. Sub-grant recipients will receive funds from the department. Those funds can be used to pay for the services of a qualified environmental professional to perform the assessment(s). Successful applicants will enter into a sub-grant agreement with the department and will be subject to the terms and conditions of the agreement.

Petroleum Sub-Grants

The department anticipates awarding up to \$80,000 in sub-grants to eligible entities for Phase I and II ESAs on properties suspected to be contaminated with petroleum products. Sub-grant recipients will receive funds from the department. Those funds can be used to pay for the services of a qualified environmental professional to perform the assessment(s). Successful applicants will enter into a sub-grant agreement with the department and will be subject to the terms and conditions of the agreement.

Petroleum Pilot Project

The department anticipates the development of a pilot project that may use up to \$90,000 to fund Phase I and Phase II ESAs on brownfield properties suspected to be contaminated with petroleum products. In the Petroleum Pilot Project, successful applicants will not receive direct funds from the department. Instead, the department arranges for the assessments to be conducted on behalf of the eligible entity. Assessments will be conducted by qualified department staff or by environmental professionals under contract with the State of Missouri.

Applicants may submit an application for more than one component as long as the properties in each application are not duplicative. Applicants may submit more than one application within a single component. However, in order to ensure equitable distribution of grant funds, a community may receive no more than \$30,000 from the Missouri Brownfields Competitive Assessment program per funding round. Each application may contain multiple contiguous properties that are part of a single redevelopment plan. Funding limitations and equitable distribution of funds may result in partial funding of some applications.

Funding Source

Funding for Missouri Brownfields Competitive Assessments is authorized by the Small Business Liability Relief and Brownfields Revitalization Act, otherwise known as the Brownfields Law, and is provided by a grant from EPA. The Brownfields Law limits the availability of grant funds to specific types of applicants and also placed restrictions on costs eligible under the grant.

Eligible Recipients

Only state governments, local governments (cities, towns and counties), government entities created by the state legislature, or quasi-governmental entities under the control of local governments may apply and receive an assessment under this grant. An eligible entity may apply to assess property owned by private businesses and other non-eligible organizations, however recipients remain accountable to the state of Missouri. If you have questions about your organization's eligibility, contact the coordinator for clarification.

Eligible Properties

Properties eligible for funding under this grant must meet the definition of a brownfield and may not fall under exclusions of this definition, as outlined in the Brownfields Law. A brownfield is “real property, the expansion, redevelopment or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.” Properties contaminated with petroleum products, mine-scarred land, and properties contaminated with controlled substances are also eligible for funding.

By completing Part 2 of the application form, you will be able to provide additional information on property eligibility. The coordinator will gather additional information regarding property eligibility once applications are received.

How do I apply?

If you are a representative of an eligible entity and would like to be considered for a Missouri Brownfields Competitive Assessment Program, you need to complete several documents and submit one original and three copies of each to the department.

Application Form

The application form is the same for all components of the Competitive Assessment Program. The information provided on the application form will indicate the likely extent of contamination and redevelopment potential of the properties. Use one application for an individual property or multiple properties that are part of a single redevelopment plan. Follow the instructions on the application. Some portions instruct applicants to respond to a question in an attachment. Limit responses in attachments to the size indicated. If you are applying for assessments on multiple properties, each property must be listed and information on each property must be provided in an attachment labeled “Multiple Properties Attachment” as described below.

Multiple Properties Attachment

Applicants seeking funds for multiple properties that are part of a single redevelopment plan need to provide information about each individual property on an attachment titled “Multiple Properties Attachment.” On this attachment, provide the information required under *Property Information* in Part 1, *Eligibility Information* in Part 2, and questions 1, 2, and 3 in Part 3 of the Application Form.

Attachment #1

If you answer “Yes” to any eligibility question in Part 2 of the application form, provide an explanation in an attachment labeled “Attachment #1”. If the response to every question in Part 2 is “No”, you do not need to submit Attachment #1.

Attachment #2

In response to Question 6 in Part 3 of the application form, provide a description of the redevelopment plan for the site(s) included in the application. If redevelopment plans include any “green” concepts, include an explanation in Attachment #2. “Green” concepts include energy savings, materials recycling, low-impact development, and creation of or protection of green space. Limit Attachment #2 to one page.

Sub-Grant Budget Sheet and Attachment #3

If you are applying for a sub-grant under the Hazardous Substance or Petroleum Sub-Grant components described above, you must complete a Sub-Grant Budget Sheet and provide a budget description in an attachment labeled “Attachment #3”. Parties applying for the Petroleum Pilot Project do not need to submit a Sub-Grant Budget Sheet or Attachment #3.

Application Cover Sheet and Checklist

The application cover sheet and checklist indicates the component you are applying for within the Competitive Assessment Program. Read this cover sheet, complete the checklist, and sign and date at the bottom of the checklist.

For applicants seeking a Phase II assessments only, submit three copies of the Phase I Assessment Report.

When is the deadline?

Applications are being accepted for the two sub-grant components through October 31, 2005. Applications postmarked after that date will not be evaluated at this time, but will be held over for consideration in a second round of funding if funds remain. The department is in the process of finalizing the Petroleum Pilot Project. Once finalized, the department will accept applications for that program for approximately four to six weeks.

Oversight

Successful applicants using grant funds for a Phase II Assessment will be required to enroll, if eligible, in the department's Brownfields/Voluntary Cleanup Program (B/VCP) for oversight during the Phase II ESA. Parties enrolled in the B/VCP must pay an application fee and the B/VCP's oversight costs. Grant funds may be used to cover the application fee and oversight costs during the ESA only. An application form and information about the B/VCP can be found on the Web at <http://www.dnr.mo.gov/alpd/hwp/hwpbvcp.htm> or by calling 1-800-361-4827. Parties ineligible for B/VCP may be required to coordinate oversight with the department's Hazardous Waste Program for Phase II assessments.

Additional Conditions

Successful applicants will be required to obtain legal access to the property. Before the grant award is signed, sub-grant recipients will have an entrance meeting with the coordinator. The purpose of this meeting is to review the content of the sub-grant agreement, including the workplan/project description, reporting requirements, and sub-grant terms and conditions.

All Phase I assessments must be conducted in accordance with American Society of Testing and Materials (ASTM) Standard E-1527-00. EPA is drafting final federal standards governing the conduct of "all appropriate inquiry." These standards will replace the ASTM standard. After EPA promulgates final regulations governing the conduct of "all appropriate inquiry", Phase I site assessments will have to be conducted in compliance with the final regulations.

OMB Circular A-87 and A-102, as implemented by EPA in 40 CFR Part 31 will govern the allowability of sub-grant costs. Grant funds must be used in accordance with EPA guidelines and the Brownfields Law (CERCLA 104 (k)). You will be required to comply with grant terms and conditions to assure that funds are spent in accordance with all applicable state and federal regulations and policies. Sub-grantees will be paid in advance provided that the sub-grantee can demonstrate that its financial procedures comply with 40 CFR 31.21c. Grant funds will be disbursed for eligible costs **incurred and paid during the grant period only**.

The Brownfields Law prohibits the use of grant funds for the payment of administrative costs, including some direct costs. Prohibited administrative costs also include all indirect costs under OMB Circulars A-21, A-87, and A-122 and Subpart 31.2 of the *Federal Acquisition Regulation*. The department will use the latest version of the *Proposal Guidelines for Brownfields Assessment, Revolving Loan Fund, and Cleanup Grants – Appendix 2* for guidance on the allowability of direct costs. This document can be found on the Web at: http://www.epa.gov/brownfields/pg/appendix2_fy05.htm.

In general, Phase I Assessments must be completed within 60 days of a sub-grant award and Phase II Assessments must be completed within 90 - 120 days of a sub-grant award. Exceptions will be made on a case-by-case basis under conditions out of the applicant's control (i.e., weather conditions limiting sampling for a Phase II Assessment).

Successful applicants will be required to submit a Property Profile Form, required by EPA, for each property receiving assessment funds. A link to this form can be found at: http://www.epa.gov/brownfields/pubs/property_profile_form.pdf.

How are Applications evaluated?

Upon receipt, the competitive assessment coordinator evaluates each application for applicant and property eligibility. Once eligibility is verified, the coordinator gathers demographic data from the 2000 U.S. Census. Collected data include population and median household income for the community. This information and the application materials are forwarded to an evaluation committee. The committee reviews the material and scores each application using an evaluation checklist. Applications are ranked within each component.

The evaluation checklist is used as a guide when evaluating the application. Funding decisions are made based on a variety of factors including the evaluation checklist, any additional information obtained from the applicants, available funds, the distribution of funds, and any other information the department may possess regarding the applicant. This includes, but is not limited to, ongoing environmental violations. The department may elect to conduct follow-up telephone interviews prior to making a funding determination. The department reserves the right to approve or reject any application or to further limit the amount of funds devoted to an applicant.

Funding decisions are considered in light of available funds in the program component indicated in the application. In the event that insufficient funds remain, entities may be encouraged to apply for an alternate component.

Where do I submit the Application?

Submit one original and three copies of all required application materials as explained on the appropriate cover sheet and checklist. Submit the documents to:

Kimberly Hoke
Missouri Brownfields Competitive Assessment Coordinator
Environmental Assistance Office
Missouri Department of Natural Resources
PO Box 176
Jefferson City, MO 65102-0176

If you have any questions regarding this application, contact the Environmental Assistance Office at 1-800-361-4827 or at (573) 526-6627.